

**UNITED STATES DISTRICT COURT  
FOR THE  
WESTERN DISTRICT OF WISCONSIN**

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**BUILDING TRADES UNITED PENSION TRUST  
FUND, and NACARCI FEASTER (in his capacity as Trustee),**

**WISCONSIN MASONS HEALTH CARE FUND,  
WISCONSIN MASONS APPRENTICESHIP  
& TRAINING FUND, WISCONSIN MASONS 401(K)  
PLAN, BRICKLAYERS AND TROWEL  
TRADES INTERNATIONAL PENSION FUND,  
INTERNATIONAL MASONS INSTITUTE FUND  
and JEFFREY LECKWEE (in his capacity as Trustee),**

**BRICKLAYERS AND ALLIED CRAFTWORKERS  
DISTRICT COUNCIL OF WISCONSIN,**

**Plaintiffs,**

**vs.**

**Case No. 09-cv-628**

**EVEREST TILE INC., and  
SCOTT A. KONKOL,**

**Defendants.**

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**ORDER FOR JUDGMENT  
AS TO DEFENDANT SCOTT A. KONKOL**

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Request and application for default judgment brought by the plaintiffs in the above-captioned action were submitted to the Court and filed with the clerk.

The Court, having duly heard all issues and a decision having been duly rendered, orders as follows:

1. Defendant Scott A. Konkol has failed to plead or otherwise defend as provided by Rule 55(a) of the Fed. R. Civ. P.

2. Scott A. Konkol violated the Labor-Management Relations Act of 1947, as amended, as well as the Employee Retirement Income Security Act of 1974, as amended, and the effective collective bargaining agreements by failing to pay fringe benefit contributions on behalf of its employees to the plaintiff funds.

3. As a result of Defendant Scott A. Konkol's' failure, Plaintiffs are entitled to damages consisting of contributions, liquidated damages and interest,.

4. The court assesses the total damages to the plaintiffs in the sum of \$31,056.38.

**IT IS HEREBY ORDERED** that the Clerk of Court is directed to enter judgment in favor of plaintiff Bricklayers and Allied Craftworkers District Council of Wisconsin, and against defendant Scott A. Konkol in the amount of \$31,056.38 together with interest at the rate allowed by law.

Dated this 17<sup>th</sup> day of February, 2010.

BY THE COURT

Brian B. Crabb  
U. S. District Court Judge